

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1299 be amended to read as follows:

- 1 Page 6, line 41, delete "Wayne County Food and Beverage Tax" and
- 2 insert "**Food and Beverage Taxes in Wayne County**".
- 3 Page 7, between lines 22 and 23, begin a new paragraph and insert:
- 4 "**Sec. 12. As used in this chapter, "unit" means:**
- 5 (1) a county described in section 1 of this chapter; or
- 6 (2) a city or town located in the county described in section 1
- 7 of this chapter."
- 8 Page 7, line 23, delete "12." and insert "**13.**".
- 9 Page 7, line 24, delete "county" and insert "**unit**".
- 10 Page 7, line 25, delete "county's" and insert "**unit's**".
- 11 Page 7, line 26, delete "13" and insert "**14**".
- 12 Page 7, line 26, after "." insert "**The fiscal body of a unit other**
- 13 **than a county may not adopt an ordinance under this chapter until**
- 14 **after July 31, 2006, unless the fiscal body of the county adopts a**
- 15 **resolution to relinquish its exclusive authority to adopt an**
- 16 **ordinance under this chapter before August 1, 2006. If a county**
- 17 **fiscal body adopts a resolution under this subsection, the county**
- 18 **fiscal body shall send a certified copy of the resolution to the**
- 19 **executive of each city and town located in the county.**".
- 20 Page 7, line 31, delete "This subsection does not apply to a county
- 21 governed under".
- 22 Page 7, line 32, delete "IC 36-2-3.5."
- 23 Page 7, line 32, after "body" insert "**of a county**".
- 24 Page 7, delete lines 35 through 39.
- 25 Page 7, line 40, delete "(e)" and insert "**(d)**".

- 1 Page 7, line 40, delete "(c) or approved" and insert "(c)".
- 2 Page 7, line 41, delete "under subsection (d)".
- 3 Page 7, after line 42, begin a new paragraph and insert:
- 4 **"(e) If a unit other than a county adopts an ordinance under this**
- 5 **section, the unit's executive shall immediately send a certified copy**
- 6 **of the ordinance to the department."**
- 7 Page 8, line 1, delete "13." and insert "14.".
- 8 Page 8, line 2, delete "12" and insert "13".
- 9 Page 8, line 7, delete "county" and insert "unit".
- 10 Page 8, between lines 8 and 9, begin a new line blocked left and
- 11 insert:
- 12 **"If both a county and another unit located in the county impose a**
- 13 **tax under this chapter, the tax imposed by the county does not**
- 14 **apply within the territory of the other unit imposing the tax."**
- 15 Page 8, line 22, delete "14." and insert "15.".
- 16 Page 8, line 23, delete "13" and insert "14".
- 17 Page 8, line 29, delete "15." and insert "16.".
- 18 Page 8, line 29, delete "county" and insert "unit".
- 19 Page 8, line 30, delete "14" and insert "15".
- 20 Page 8, line 31, delete "county" and insert "unit's".
- 21 Page 8, line 32, delete "county's" and insert "unit's".
- 22 Page 8, line 36, delete "16." and insert "17.".
- 23 Page 8, line 37, delete "county" and insert "unit".
- 24 Page 8, line 39, delete "county" and insert "unit's".
- 25 Page 8, line 40, delete "county's" and insert "unit's".
- 26 Page 8, line 41, delete "county's" and insert "unit's".
- 27 Page 9, line 4, delete "17." and insert "18.".
- 28 Page 9, line 4, delete "county".
- 29 Page 9, line 7, delete "18." and insert "19.".
- 30 Page 9, line 14, delete "19." and insert "20.".
- 31 Page 9, line 15, after "county" insert "containing a unit".
- 32 Page 9, line 16, delete "county." and insert "unit.".
- 33 Page 9, line 20, after "county" insert "in which the unit".
- 34 Page 9, line 20, delete "." and insert "is located.".
- 35 Page 9, line 21, delete "20." and insert "21.".
- 36 Page 9, line 21, after "establish" insert "for each unit in the county
- 37 **that imposes a tax under this chapter"**.
- 38 Page 9, line 25, delete "21." and insert "22.".
- 39 Page 9, line 26, delete "county" and insert "unit".
- 40 Page 9, line 28, delete "county." and insert "unit.".
- 41 Page 9, line 29, delete "22." and insert "23.".
- 42 Page 9, line 29, delete "county" and insert "unit".
- 43 Page 9, line 32, delete "county." and insert "unit.".
- 44 Page 9, line 34, delete "county." and insert "unit.".
- 45 Page 9, line 39, delete "county;" and insert "unit;".
- 46 Page 9, line 41, delete "23." and insert "24.".

- 1 Page 9, line 42, delete "county's" and insert "**unit's**".
- 2 Page 10, line 2, delete "24." and insert "**25.**".
- 3 Page 10, line 2, delete "county".
- 4 Page 10, line 3, delete "to the county".
- 5 Page 10, line 4, delete "fiscal body".
- 6 Page 10, line 4, delete "fund" and insert "**funds**".
- 7 Page 10, line 5, delete "20" and insert "**21**".
- 8 Page 10, line 23, delete "county".
- 9 Page 10, line 26, delete "county".
- 10 Page 10, line 42, delete "county".
- 11 Page 11, line 3, delete "county".
- 12 Page 11, line 4, delete "an ordinance to rescind the tax imposed" and
- 13 insert "**the county fiscal body adopts a resolution abolishing the**
- 14 **food and beverage tax revenue committee. A county fiscal body**
- 15 **may adopt a resolution under this subsection if the county fiscal**
- 16 **body determines that each unit in the county that had imposed a**
- 17 **tax under this chapter has adopted an ordinance to rescind the**
- 18 **tax.**".
- 19 Page 11, delete line 5.
- 20 Page 11, line 6, delete "25." and insert "**26.**".
- 21 Page 11, line 6, delete "the county" and insert "**each unit subject to**
- 22 **this chapter**".
- 23 Page 11, line 13, delete "the county" and insert "**a unit**".  
(Reference is to HB 1299 as printed February 25, 2005.)

---

Representative Saunders